

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SHAIZON I. KING,

Plaintiff

v.

CALVIN JOHNSON, et al.,

Defendants

Case No. 2:23-cv-00508-JAD-VCF

ORDER

On April 6, 2023, pro se Plaintiff Shaizon I. King, an inmate in the custody of the Nevada Department of Corrections, submitted a complaint under 42 U.S.C. § 1983 and filed an application to proceed *in forma pauperis*. (ECF Nos. 1-1, 1). Plaintiff's application to proceed *in forma pauperis* is incomplete because Plaintiff did not use the Court's approved form application and did not include an inmate trust fund account statement for the previous six-month period or a financial certificate with the application. (See ECF No. 1).

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights action is \$402, which includes the \$350 filing fee and the \$52 administrative fee. See 28 U.S.C. § 1914(b). "Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*." Nev. Loc. R. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court's approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court's approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. LSR 1-2. *In forma pauperis* status does not relieve an inmate of his or her obligation to pay the

1 filing fee, it just means that the inmate can pay the fee in installments. See 28 U.S.C.
2 § 1915(b).

3 Accordingly, and for the reasons stated above,

4 It is therefore ordered that Plaintiff's application to proceed *in forma pauperis* (ECF
5 No. 1) is denied without prejudice.

6 It is further ordered that Plaintiff has **until June 12, 2023** to either pay the full \$402
7 filing fee or file a new fully complete application to proceed *in forma pauperis* with all three
8 required documents: a completed application with the inmate's two signatures on page 3,
9 a completed financial certificate that is signed both by the inmate and the prison or jail
10 official, and a copy of the inmate's trust fund account statement for the previous six-month
11 period.

12 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
13 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff
14 to refile the case with the Court, under a new case number, when Plaintiff can either file
15 a complete application to proceed *in forma pauperis* or pay the required filing fee.

16 The Clerk of the Court is directed to send Plaintiff Shaizon I. King the approved
17 form application to proceed *in forma pauperis* for an inmate and instructions for the same,
18 and to retain the complaint (ECF No. 1-1) but not file it at this time.

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20 DATED this 11th day of April 2023.

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23 _____
24 UNITED STATES MAGISTRATE JUDGE
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